

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1331-337

C# M#

Reid W. von Borstel

TC/A.U. 1632

Serial No. 09/838,136

Examiner: Ganapathy Krishnan

Filed: April 20, 2001

Date: February 9, 2004

Title: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL  
DISEASESCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

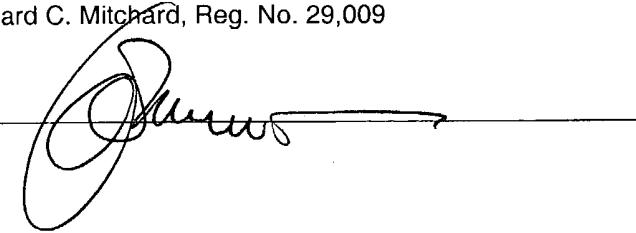
## Fees are attached as calculated below:

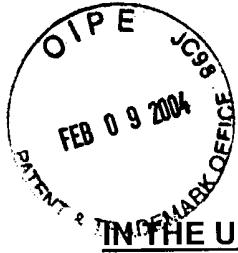
Total effective claims after amendment previously paid for	0 20	minus highest number (at least 20) =	0 0	x x	\$ 18.00 \$ 86.00	\$ 0.00
Independent claims after amendment previously paid for	0 3	minus highest number (at least 3) =	0 0	x x	\$ 18.00 \$ 86.00	\$ 0.00
If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)						\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months)						\$ 0.00
Terminal disclaimer enclosed, add \$ 110.00						\$ 0.00
<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)						\$ 0.00
<input type="checkbox"/> Please enter the previously unentered , filed						
<input type="checkbox"/> Submission attached						
					<b>Subtotal</b>	<b>\$ 0.00</b>
If "small entity," then enter half (1/2) of subtotal and subtract					<b>-\$</b>	<b>0.00</b>
<input type="checkbox"/> Applicant claims "small entity" status. <input type="checkbox"/> Statement filed herewith						
Rule 56 Information Disclosure Statement Filing Fee (\$180.00)					<b>\$</b>	<b>0.00</b>
Assignment Recording Fee (\$40.00)					<b>\$</b>	<b>0.00</b>
Other:						<b>0.00</b>
					<b>TOTAL FEE ENCLOSED</b>	<b>\$ 0.00</b>

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.  
By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Reid W. von Borstel Atty. Ref.: 1331-337; Confirmation No. 2922

Appl. No. 09/838,136 TC/A.U. 1632

Filed: April 20, 2001 Examiner: Ganapathy Krishnan

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES

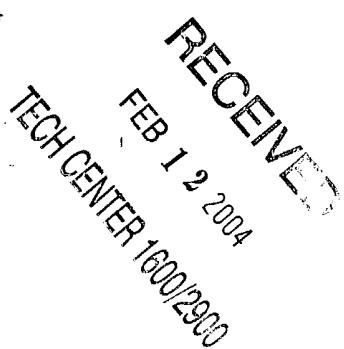
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February 9, 2004

Commissioner for Patents  
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## SUPPLEMENTAL PAPER



Supplemental to the Amendment filed February 5,2004, two errors have been noted which require correction. These are as follows.

Contrary to what is stated in Section I of the Remarks (page 5), the remaining claims in this case have not been canceled. They have been withdrawn from consideration, but they are still pending.

In the citation of Attachments on page 12, the name of the journal is Nature Medicine, not "Natural" Medicine. The correct name is used on page 11 of the Amendment.

Reid W. von Borstel  
Appl. No. 09/838,136  
February 9, 2004

Favorable action on this application is awaited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

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